

U. S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

LOUISIANA PIGMENT CO., ET AL : DOCKET NO. 05-1840

VS. : JUDGE TRIMBLE

FOUNDATION SYSTEMS, INC. : MAGISTRATE JUDGE WILSON

JUDGMENT

Pursuant to the Memorandum Ruling of this date,

IT IS ORDERED, ADJUDGED AND DECREED that Louisiana Pigment Co., L.P.'s Motion for Partial Summary Judgment (doc. #31) is hereby **GRANTED** entitling LPC to a refund of the overpayment in the amount of \$131,866.00 plus legal interest from date of judicial demand until paid in full, and dismissing FSI's counterclaim for breach of contract at FSI's cost.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the motion for summary judgment (doc. #33) filed by Foundation Systems, Inc. is hereby **DENIED**.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 15th day of March, 2007.

James T. Trimble, Jr.
JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE